

The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

WOLFIRE GAMES, LLC, SEAN COLVIN,
SUSANN DAVIS, DANIEL ESCOBAR,
WILLIAM HERBERT, RYAN LALLY, HOPE
MARCHIONDA, EVERETT STEPHENS,
individually and on behalf of all others similarly
situated.

CASE NO.: 2:21-cv-00563-JCC

Plaintiffs.

V.

VALVE CORPORATION,

Defendant.

DARK CATT STUDIOS HOLDINGS, INC., and
DARK CATT STUDIOS INTERACTIVE LLC,
on behalf of themselves and all others similarly
situated.

CASE NO.: 2:21-cv-00872-JCC

**DECLARATION OF W. JOSEPH
BRUCKNER IN SUPPORT OF
PLAINTIFFS' MOTION FOR
APPOINTMENT OF CO-LEAD
INTERIM COUNSEL FOR
PROPOSED DEVELOPER CLASS**

VALVE CORPORATION.

Defendant.

1. I am an attorney licensed to practice in the State of Minnesota and have been
 2 admitted to practice in several courts across the country. For over thirty years I have been a partner
 3 with the firm of Lockridge Grindal Nauen P.L.L.P. (“LGN”), attorneys of record for Plaintiffs
 4 Dark Catt Studios Holdings, Inc., and Dark Catt Studios Interactive LLC (collectively “Dark
 5 Catt”), in the action *Dark Catt Studios Holdings, Inc. v. Valve Corp.*, No. 2:21-cv-00872 (W.D.
 6 Wash.).

7. I submit this declaration in support of the accompanying Plaintiffs’ Motion for
 8 Appointment of Co-Lead Interim Counsel for Proposed Developer Class Pursuant to Federal Rule
 9 of Civil Procedure 23(g)(3). I have personal knowledge of the facts in this declaration and could
 10 competently testify to them if called as a witness.

3. I am committed to prosecuting this case. If the Court appoints my firm as co-lead
 12 counsel in this litigation, I will devote myself personally to its leadership.

4. LGN specializes in antitrust litigation. For over 40 years we have prosecuted
 15 antitrust cases on behalf of large and small business injured by price-fixing, bid-rigging and other
 16 violations of the antitrust laws. We also practice in securities, environmental, employment, health
 17 care, commercial, intellectual property and telecommunications law. We have particular expertise
 18 in complex litigation, including federal multidistrict litigation. Our attorneys are skilled in
 19 pursuing and managing large complicated cases efficiently and cost-effectively. From this solid
 20 foundation, we regularly produce positive results for our clients and class members. In the last ten
 21 years alone, antitrust cases in which LGN played a significant role have recovered more than \$2
 22 billion. Examples of the complex cases we have led include the following.

5. LGN serves as Plaintiffs’ co-lead counsel in *In re Broiler Chicken Antitrust Litig.*,
 24 Case No. 1:16-cv-08637 (N.D. Ill.), appointed by the Honorable Thomas Durkin. We have
 25 obtained approximately \$170 million in settlements with some of the defendants for the benefit of
 26 the class members.

1 6. LGN serves as Plaintiffs' co-lead counsel in *In re Pork Antitrust Litig.*, Case No.
 2 18-cv-1776 (D. Minn.), appointed by the Honorable John Tunheim. We have obtained \$107.5
 3 million in settlements with two of the defendants for the benefit of the class members.

4 7. LGN and I also served as Plaintiffs' co-lead-counsel in the *Freight Forwarders*
 5 *Antitrust Litigation (Precision Associates, Inc., et al. v. Panalpina World Transport (Holding) Ltd.*
 6 *et al.*, Case No. 08-cv-00042 (E.D.N.Y.), appointed by the Honorable John Gleeson. Our clients
 7 in *Freight Forwarders* alleged several global cartels to fix and impose surcharges and fees for
 8 freight forwarding services on U.S. shippers. We achieved settlements of over \$450 million for
 9 the class from nearly thirty defendant groups.

10 8. LGN and I also served as Midwest Plaintiffs' co-lead counsel in *In re Wholesale*
 11 *Grocery Products Antitrust Litigation*, MDL No. 2090 (D. Minn.), appointed by the Honorable
 12 Ann Montgomery. LGN represented five certified classes of Midwest retail grocery stores who
 13 brought antitrust claims against the nation's two largest grocery wholesalers. After settling with
 14 one defendant, co-counsel and I tried the Midwest Plaintiffs' claims against the remaining
 15 defendant to a jury verdict before Judge Montgomery.

16 9. LGN and I also served in leadership positions in the following cases, among others:
 17 *In re Monosodium Glutamate Antitrust Litig.*, MDL No. 1328 (D. Minn.) (Judge Paul Magnuson),
 18 co-lead counsel, recovering \$123 million for the class; *In re Payment Card Interchange Fee &*
 19 *Merchant Discount Antitrust Litig.*, MDL No. 1720 (E.D.N.Y.) (Judge John Gleeson), plaintiffs'
 20 executive committee; *In re Flat Glass Antitrust Litigation (II)*, MDL No. 1942 (W.D. Pa.) (Judge
 21 Donetta Ambrose), co-lead counsel, recovering \$22 million for the class; *In re Urethane Antitrust*
 22 *Litigation (Polyester Polyols)*, MDL No. 1616 (D. Kan.) (Judge John Lungstrum), co-lead counsel,
 23 recovering \$33 million for the class; *In re Pressure Sensitive Labelstock Antitrust Litigation*, MDL
 24 No. 1556 (M.D. Pa.) (Judge Thomas Vanaskie), co-lead counsel, recovering \$45 million for the
 25 class.

1 10. LGN's attorneys have prosecuted major cases and class actions involving
 2 monopolization, attempted monopolization, exclusionary conduct, anticompetitive MFN
 3 agreements, price-fixing, industry cartels, predatory pricing, price discrimination, and other
 4 antitrust cases in courts nationwide.

5 11. In the past decade alone, LGN and its colleagues have recovered billions of dollars
 6 for their clients and class members in national and international antitrust cases.

7 12. If the Court selects us as co-lead counsel for the developer class, we will bring the
 8 same resources and commitment to ensure the successful prosecution of this case.

9 13. LGN is committed to developing and fostering a diverse and an inclusive practice
 10 environment to reflect the diversity of the clients we serve and our greater community. The firm
 11 works to mentor lawyers and provide meaningful opportunities in their practice, and will furnish
 12 the same opportunities to collaborating with attorneys from its co-counsel at Wilson Sonsini in
 13 this case. For the past two consecutive years, LGN has been named a Best Law Firm for Women
 14 by Working Mother, a recognition given to only sixty firms in the country. LGN is an active
 15 member of Twin Cities Diversity in Practice, a local association of more than sixty law firms and
 16 corporate legal departments, including those of Fortune 500 companies, committed to creating a
 17 vibrant and inclusive legal community. LGN also supports a number of other local affinity bar
 18 organizations, including the Diversity Committee of the Minnesota Chapter of the Federal Bar
 19 Association, the Minnesota American Indian Bar Association, and the Minnesota Asian Pacific
 20 American Bar Association. LGN attorneys also provide pro bono services to a number of different
 21 organizations to serve diverse or historically disadvantaged groups and communities, and the firm
 22 was awarded the Children's Law Center's Distinguished Service Award in 2011 for its work
 23 representing foster care children.

24 14. A true and correct copy of LGN's firm resume is submitted herewith as **Exhibit A**.

25 15. As to my personal and professional qualifications, I lead LGN's antitrust law
 26 practice and practice extensively in antitrust litigation and federal and state courts nationwide.
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16. For more than 30 years, I have represented plaintiffs in antitrust class actions and other complex litigation nationwide. I have served as lead or co-lead counsel in several nationwide antitrust class actions, including those described above. I chaired the Antitrust Section of the Minnesota State Bar Association, and currently am an emeritus member. I also serve on the Board of Directors of the American Antitrust Institute,¹ and am a past president and current executive committee member of the Committee to Support the Antitrust Laws (COSAL).² Both COSAL and the American Antitrust Institute are dedicated to the preservation and enforcement of our nation’s antitrust laws and competition regulations. I am regularly named a “Super Lawyer” by the Minnesota Journal of Law and Politics, and I frequently speak and present at programs and seminars nationwide. I am a co-author of PRIVATE ENFORCEMENT OF ANTITRUST LAW IN THE UNITED STATES, Edward Elgar Publishing (2012), and the INTERNATIONAL HANDBOOK ON PRIVATE ENFORCEMENT OF COMPETITION LAW, Edward Elgar Publishing (2010).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 13th day of August, 2021.

s/ W. Joseph Bruckner
W. Joseph Bruckner

¹ www.antitrustinstitute.org

² www.supportanititrustlaws.com